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THE SENATE VOTES FOR NEGRO DISFRANCHISEMENT

Senator Beard's Amendment to State Constitution Disregarding the Fifteenth Amendment to Federal Constitution—Again Adopted.

By a vote of 20 to 10 the Senate on yesterday adopted Senator Beard's Fifteenth Amendment resolution.

It's a dull day in the Senate when the handsome, eloquent gentleman from the 2nd isn't "special ordered." Today wasn't dull. The question under discussion was his long-expected, long-postponed Joint Resolution No. 18, proposing an amendment to the State Constitution disfranchising the negro.

At the commencement of his speech, Senator Beard called the attention of the Senate to the fact that if this Resolution passed both Houses, and it is ratified at the polls, its validity as a part of the Constitution will depend upon the invalidity of the Fifteenth Amendment to the Federal Constitution.

Senator Beard's contention is that the Fifteenth Amendment was not legally adopted, and he went very fully into detail to prove his position. He said: "The validity of this so-called Fifteenth Amendment to the Constitution of the United States depends upon the historic truth of its proposal and of its ratification." He shows that only 144 out of 223 members of the House of Representatives voted for this Amendment, according to the Congressional Globe, now Congressional Record, while 149 was the necessary two-thirds. He shows that out of the membership of the Senate, 66, only 39 voted for the Amendment, instead of the requisite 44. He shows that the states did not ratify the Amendment, and goes fully into the discussion.

The Senator from the 2nd recalled the fact that this Resolution passed the Senate last session, by a vote of 23 to 5, and would have passed the House if it had not been for the interference of certain prominent men, who did not understand the question, "and some newspaper men who were incapable alike of investigating and understanding the question involved." At length he took up the various objections that were urged against it, and so ably did he handle them that like the Arabs they "folded their tents and silently stole away."

He dwelled particularly on one objection, which was that "long acquiescence in the Fifteenth Amendment rendered it valid—that the statute of limitations bars any question of its validity." He showed that the "statute of limitations at no time runs against a state," and that this Amendment was a "limitation upon States," if valid.

Senator Beard showed that the "Supreme Court of the United States has upheld the Southern States in every step they have taken to regulate the elective franchise. In not a single action has it held the action of a southern State upon the suffrage question to be violative of the Fifteenth Amendment. This seems to me to be almost a standing invitation by that court for some State to make the direct issue of the validity of that amendment!"

He closed his speech by denying that he desired to take from the negro "any of his natural inherent rights, which are the right to life liberty and the acquisition of property", but the elective franchise is not "natural right, it is a privilege."

When the Senator had finished his fifty-minute speech, and moved the adoption of the Resolution, there was vote-explaining by Mr. President, Massey, McMullen, Miller and West, who, with the exception of Senator McMullen, voted Yes.

Senator Hudson approved the Resolution because he thought the sentiment was ripe for action, and because he thought it would help to settle the negro question.

Senator Massey believed the adoption of the Fifteenth

REPORT OF JOINT COMMISSION IS TO BE GONE INTO

Days Are Set in Both Houses to Receive Reports of Special Committees—Legislature Will Have It Again by Middle of May,

Provided old Father Time does not halt in his flight, the Legislature of Florida will have the opportunity to consider in a business-like way the report of the joint commission created by the Legislature of 1907 to investigate the acts and doings of the Trustees of the Internal Improvement Fund.

May 7th is the day fixed for the Senate committee to report on this report, which committee was appointed under a resolution offered by Senator Flournoy, and adopted by the Senate Thursday. The duties of this committee as outlined in the report are to investigate and make report on the joint commission, and bring their findings to the Senate in the shape of a report not later than May 7th.

May 9 is the day set for the House committee to report, which committee is composed of MacWilliams, Calkins, Miller, Hilburn, and Moore. This committee was appointed under the following resolution offered by Mr. MacWilliams and adopted by the House Thursday:

"Whereas, The report of the joint commission created by the Legislature of 1907 appointed to investigate the acts and doings of the Trustees of the Internal Improvement Fund seemingly shows reprehensible conduct or gross errors of judgment on the part of certain of said Trustees; and

"Whereas, if the present Legislature adjourn without taking some action upon said report, if any action can be taken, it is placed in the position of condoning such seemingly reprehensible conduct or approving such gross errors of judgment in certain of said Trustees; therefore be it

"Resolved, by the House of Representatives, That a committee of five be appointed by the Speaker to investigate such reports of said joint commission and recommend to this House within ten days what action, if any, this House should take upon such report."

These dates seem to fit very nicely for a proper consideration of the report of the joint commission. The Senate committee reports two days before the House committee, so that each body will act independently, and at different times, with an interval between them, giving the opportunity for both houses to get together if necessary, and by conference decide on what to do with the report of the joint commission, and in what manner to deal with the information contained in that report.

Amendment had been by fraud, and although he came from a northern state, he approved of the Resolution.

Senator Miller believed sentiment had changed in the last few years, and that this was the time to take action.

Senator McMullen didn't believe the Supreme Court would declare the Amendment invalid, and intended to vote against the Resolution.

The vote on the Resolution stood as follows:

Yeas: Mr. President, Senators Adkins, Baker (20) Baker (29), Beard, Broome, Cook, Cone, Davis, Dayton, Flournoy, Girardeau, Leggett, Massey, Miller, Sams, Sloan, West, Williams, Withers.—20.

Nays: Buckman, Crill, Cottrell, Henderson, Hosford, Humphreys, Johnson, McCreary, McLeod, McMullen,—10. Senators Harris and Zim were absent.

MONEY FOR TEACHER'S TRAINING SCHOOL VOTED.

By House Yesterday, After Bill Was Defeated. It Was Reconsidered And Passed. McWilliams And Miller Break Lances.

By disposing of all bills on third reading and part of those on second, the House did good business yesterday.

Not much debate was indulged in except upon Mr. Carn's bill for the Summer Training School for teachers, but many men of many minds gave expression to their views on this subject. Mr. Chase of Duval wanted to go on record as strongly favoring the bill because it made for good for the people of the State.

Mr. Blanton of Madison opposed it as unconstitutional, and answering Mr. Carn's inquiry as to whether he had consulted any lawyers on that point, said; "I have asked some of the members of the Supreme Court, if you call them lawyers."

"I have asked some of the members of the Supreme Court too," declared Mr. Carn, "and they tell me the provision of the Constitution to which you refer, does not apply to these Training Schools, but only to the State Institutions."

Mr. Miller, of Lake, made a speech in opposition, and as called to a point of order by Mr. McWilliams for injecting into his remarks matter not germane, whereupon ensued a tilt of small dimensions between the two.

"I insist upon my point of order," cried Mr. McWilliams, and Mr. Miller retorted: "I was not aware the gentleman was so thick-skinned, or I wouldn't have hit him so hard. I have taught him many things about points of order before, and I'll teach him some more."

The bill was passed by a vote of 39 to 23.

The House also passed a bill providing for the punishment of kidnapping a child under 15 years of age, to be held for ransom, a bill requiring all State, County and municipal records at all times to be open to public inspection, and one or two others.

LAWS TO CORRECT MISTAKES.

This Legislature Must Do All Over Again Some Imperfect Work of Last.

Some curious things have cropped out in connection with one or two bills that have lately been introduced at this session.

One of these relates to the law now upon the statutes, which provides for a fine of telegraph companies for failure promptly to deliver messages.

Col. L. E. Roberson of Suwannee has introduced a bill with this provision, and the further one of compensation for mental suffering caused by delay in delivering telegrams, and in reply to a question as to the necessity for such a measure when there is a law to this effect already, said:

"I introduced this bill for this reason: The Supreme Court has decided that mental anguish may be taken into account in fixing damages, when the law upon the subject is not defective.

"Now our present law has this defect: When the bill was passed, in 1907, the Senate amended the House Bill, but the amendments were never concurred in. Everyone seems to have overlooked that fact except the telegraph company, which has since used it as a defense where the law was invoked. It is to correct this defect that I have offered my bill."

It seems that this is not the only law enacted by the Legislature of 1907 which has this defect, so that part of the time of the Legislature of 1909 must be taken up in correcting the errors of 1907. It might be well for Florida to have a Supervisor of Legislation in the future, to see that laws which are made are in proper form before they go on the statutes.